

AO 91 (REV.5/85) Criminal Complaint

FILED
JUL 10 2010
7-10-10

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT
MAGISTRATE JUDGE COLE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

DAVID MESCHINO

CRIMINAL COMPLAINT

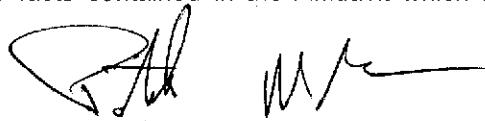
CASE NUMBER

UNDER SEAL

I, the undersigned complainant, being duly sworn on oath, state that the following is true and correct to the best of my knowledge and belief: From on or about July 9, 2010 to on or about July 10, 2010, in the Northern District of Illinois, Eastern Division, and elsewhere, DAVID MESCHINO defendant herein:

with intent to harass and to cause substantial emotional distress to a person in another state, namely, Victim A, used a facility of interstate commerce to engage in a course of conduct that caused substantial emotional distress to Victim A;

in violation of Title 18, United States Code, Section 2261A(2). I further state that I am a Special Agent with the Federal Bureau of Investigation, and that this complaint is based on the facts contained in the Affidavit which is attached hereto and incorporated herein.



Signature of Complainant
PATRICK GEAHAN
Special Agent, Federal Bureau of Investigation

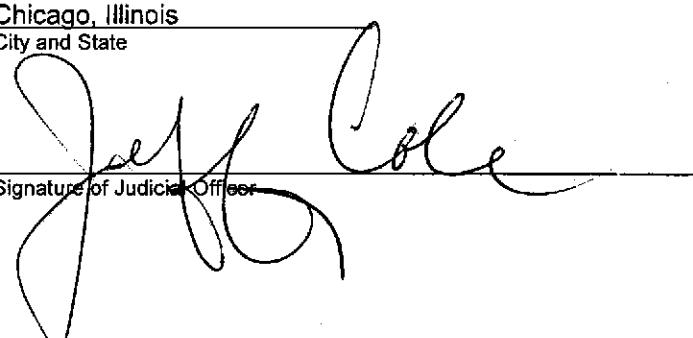
Sworn to before me and subscribed in my presence,

July 10, 2010
Date

at Chicago, Illinois
City and State

JEFFREY COLE, U.S. Magistrate Judge
Name & Title of Judicial Officer

Signature of Judicial Officer



UNITED STATES DISTRICT COURT)
NORTHERN DISTRICT OF ILLINOIS) ss
)

AFFIDAVIT

I, PATRICK GEAHAN, being duly sworn, state as follows:

1. I am a Special Agent with the Federal Bureau of Investigation, and have been so employed for five and one half years. My current responsibilities include the investigation of child exploitation and child pornography.

2. This affidavit is submitted in support of a criminal complaint alleging that DAVID MESCHINO has violated Title 18, United States Code, Section 2261A(2). Because this affidavit is being submitted for the limited purpose of establishing probable cause in support of a criminal complaint charging DAVID MESCHINO with interstate stalking, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that the defendant committed the offense alleged in the complaint.

3. This affidavit is based on my personal knowledge and information provided to me by other law enforcement agents.

4. On February 3, 2010, Mario Meschino pled guilty to one count of transportation of child pornography and one count of possession of child pornography, in violation of Title 18, United States Code 2252A. On July 8, 2010, Judge Kocoras sentenced Mario Meschino to a total of 30 years' imprisonment. Victim A, who is a relative of Mario

Meschino, testified at the sentencing hearing that Mario Meschino sexually molested her for about ten years, beginning when she was about four or five years old.

5. According to Victim A, DAVID MESCHINO is Mario Meschino's brother.

6. On the morning of July 9, 2010, which was the day after Mario Meschino's sentencing hearing, Victim A contacted a Victim/Witness Specialist in the U.S. Attorney's Office to report that she had received three voicemail messages on her cellular telephone from her uncle DAVID MESCHINO. I have reviewed each of these voicemail messages. Neither the voicemail system nor the call log on Victim A's cellular telephone identified the telephone number from which the messages were left.

7. Victim A received the first voicemail message, which lasted approximately 30 seconds, at 5:32 a.m. The first voicemail message contained words to the effect of, "Good morning, [Victim A]. You fucking know who this voice is, motherfucker? I want to know why you testified against my brother. If that is true you're a lowlife, backstabbing piece of shit. You better fucking call your uncle, [Victim A]. Tell me what the fuck you were saying in court and why." Victim A told me that she recognized the voice on this voicemail message to be that of her uncle DAVID MESCHINO.

8. Victim A received the second voicemail message, which lasted approximately 30 seconds, on her cellular phone at 5:41 a.m. The voice on this second message sounds the same as the voice on the first message. The second message contained words to the effect of, "Thanks for helping put my brother in jail." The message continued

with words to the effect of, "Go on with your life and leave me alone . . . forget you and your fat ass, pimple-face, back-stabbing, two-faced, feel-sorry-for-me-kind-of-bitch. Fuck you [Victim A] forever. Fuck you." Victim A told me that she recognized the voice on this voicemail message to be that of her uncle DAVID MESCHINO.

9. Victim A received the third voicemail message, which was approximately one minute, twenty-two seconds in duration, on her cellular phone at approximately 6:02 a.m. The voice on this third message appeared to be the same as the voice on the first two messages. The third voicemail message contained words to the effect of, "If you think you want to fucking fuck with me, you fucking cunt-bag bitch, come on over here right now. I hate you [Victim A]. Come on over right now." The message continued with words to the effect of, "You feel good about putting Mario in jail? . . . You little fucking tattletale. You had an orgasm. You enjoyed it. Fuck you, you bitch." Victim A told me that she recognized the voice on this voicemail message to be that of her uncle DAVID MESCHINO.

10. The next day, on July 10, 2010, Victim A received a fourth voicemail message, which lasted approximately two minutes and fifty-four seconds, on her cellular phone at approximately 6:23 a.m. The voice on this fourth message appears to be the same as the voice on the first three messages. This fourth message contained words to the effect of, "You're a liar in court. You tipped off the FBI. You got paid to do all this crap, [Victim A]. You're a lying fool. I'm gonna get a civil lawsuit against you for lying in a court of law. . . . You put my younger brother in jail for 30 years by tipping off the FBI. . . . [Victim A],

I'm gonna hunt you down the rest of my life. The minute I see you, OHHH, OHHH, the minute I see you, I'm gonna give you the biggest motherfucking hug that you can't stand."

At this point in the message, another voice can be heard in the background, and the message continued with words to the effect of, "No, I want the FBI to hear me, [Individual A].¹ I want [Victim A] to hear me. . . . You like yourself, [Victim A]? You like that you had a little orgasm yourself? You consensually agreed to do all of this stuff. You were not forced. You were not beat up. You instantly went to my brother Mario. That was your thing. You got jealous. . . . And FBI motherfuckers, come on over here. My name is Dave Meschino. . . . We're going to be looking at you. We're gonna be investigating you. We're gonna get civil lawsuits against you, [Victim A]. Okay? This is going to be a long fucking ordeal." Victim A told me that she recognized the voice on this voicemail message to be that of her uncle DAVID MESCHINO.

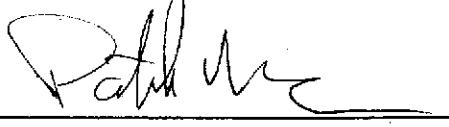
11. At the time Victim A received the first three voicemail messages, she was in Illinois preparing to leave on a flight to Minnesota after having testified at the sentencing hearing. At the time Victim A received the fourth voicemail message, Victim A was in Minnesota, where she currently lives.

12. On July 10, 2010, I spoke with Victim A about these voicemail messages. Victim A told me that the messages frightened and worried her. Victim A stated that she knew based on her interaction with DAVID MESCHINO in the past that his voice

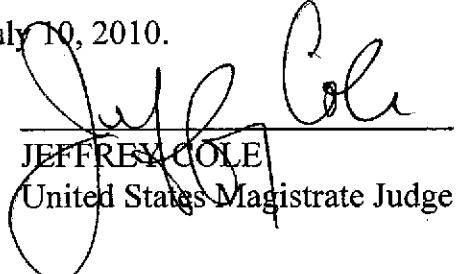
¹ According to Victim A, DAVID MESCHINO currently lives with Individual A in Naperville, Illinois.

in these messages had the tone he used when he was angry. Victm A said she specifically worried that DAVID MESCHINO would drive to Minnesota to confront her.

FURTHER AFFIANT SAYETH NOT.


PATRICK GEAHAN
Special Agent, Federal Bureau of Investigation

SUBSCRIBED AND SWORN to before me on July 10, 2010.


JEFFREY COLE
United States Magistrate Judge